

09-99



2600 Maitland Center Pkwy.
Suite 300
Maitland, FL 32751
P.O. Drawer 200
Winter Park, FL
32790-0200
Tel: 407-740-8575
Fax: 407-740-0613
www.tminc.com

~~DOCKET FILE COPY ORIGINAL~~
~~DOCKET FILE COPY DUPLICATE~~

Received & Inspected

JUN 5 - 2009

FCC Mail Room

June 4, 2009
Via Overnight Delivery

Ms. Marlene H. Dortch, FCC Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743
ATTN: WCB Competition Policy Division

Re: Amendment to Section 63.71 Application of Talk America Inc

Dear Ms. Dortch:

Enclosed for filing please find the original and six (6) copies of an Amendment to the Application of Talk America Inc. to discontinue its provision of domestic telecommunications services in fifteen (15) states. The original Application was filed on May 29, 2009. This Amendment includes revised customer notices and a revised service list, pursuant to discussions with Mr. Rodney McDonald.

Please acknowledge receipt of this filing by date stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided.

Any questions you may have pertaining to this filing may be directed to me at (407) 740-3031 or via email at stthomas@tminc.com. Thank you for your assistance.

Sincerely,

Sharon Thomas
Consultant to Talk America Inc.

Copy: Rodney McDonald – electronic mail
M. Ring – Talk
File: FCC - Domestic
TMS: FCX0901a

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

Received & Inspected
JUN 5 - 2009
FCC Mail Room

In the Matter of)
Section 63.71 Application of)
Talk America Inc.)
to Discontinue Service)

File No. _____

**Amendment to
Section 63.17 Application of Talk America Inc. to Discontinue Services**

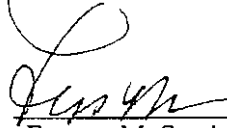
Talk America Inc. ("Talk America" or "Applicant") hereby files this *Amendment* to its Section 63.71 Application to Discontinue Service ("Application"), which was originally filed with the Commission on May 29, 2009. This Amendment includes revised customer notices, which were mailed to all customers on June 3, 2009, via first class U.S. Mail. The revised customer notices incorporate the language from 47 C.F.R. §63.71(a)(5)(i) regarding the timeframe for customers to file comments with the FCC regarding the discontinuance.

This Amendment also includes a corrected service list. The original service list omitted the list of state public utility commissions to which a copy of the Application was mailed on May 28, 2009. It also excluded the West Virginia Governor's Office, which was served a copy of the Application via U.S. Mail on June 2, 2009. The amended service list reflects these prior omissions.

Correspondence concerning this Amendment to the Application should be sent to:

Sharon Thomas, Consultant to
Talk America d/b/a Cavalier Telephone
Technologies Management, Inc.
2600 Maitland Center Parkway, Suite 300
Maitland, FL 32751
Telephone: 407-740-3031
E-Mail: stthomas@tminc.com

Respectfully submitted, this 3rd day of June, 2009.



Frances McComb
Senior Vice President – Law and Public Policy
Talk America Inc.

RECEIVED JUN 04 2009

Exhibit A

Amended Customer Notices



June 3, 2009

«NAME»
«BILLING_ADDRESS» «ADDRESS1»
«CITY1», «STATE1» «ZIP1»

RE: Important Information Concerning your Telephone Services
Service Address: «SERVICE_ADDRESS_NAME» «ADSTHE»
«CITY», «STATE» «ZIP»
Account Number: «CUNO»

Dear Customer:

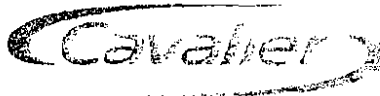
Talk America, Inc. (which in some states does business under the name of its parent company, Cavalier Telephone) is filing an application to discontinue providing telecommunications services in your state. Effective July 15th, 2009, Talk America, Inc. or Talk America d/b/a Cavalier Telephone will no longer provide the local and/or long distance (including in-state, state-to-state and international) telecommunications services you currently receive at the above location. Please take steps to transition your services to another provider before the disconnection date listed above.

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the §63.71 Application of Talk America d/b/a Cavalier Telephone. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

If you have any questions, or need help understanding how to transition your services, please contact Cavalier's Customer Care Department at 800-291-9699.

Sincerely,

Cavalier Telephone



June 3, 2009

«NAME»
«BILLING_ADDRESS» «ADDRESS1»
«CITY1», «STATE1» «ZIP1»

RE: Important Information Concerning your Telephone Services
Service Address: «SERVICE_ADDRESS_NAME» «ADSTHE»
«CITY», «STATE» «ZIP»
Account Number: «CUNO»

Dear Customer:

Talk America, Inc. (which in some states does business under the name of its parent company, Cavalier Telephone) is filing an application to discontinue providing telecommunications services in your state. Effective September 15, 2009, Talk America, Inc. or Talk America d/b/a Cavalier Telephone will no longer provide the local and/or long distance (including instate, state-to-state and international) telecommunications services you currently receive at the above location. Please take steps to transition your services to another provider before the disconnection date listed above.

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireless Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the §63.71 Application of Talk America d/b/a Cavalier Telephone. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

If you have any questions, or need help understanding how to transition your services, please contact Cavalier's Customer Care Department at 800-291-9699.

Sincerely,

Cavalier Telephone

Exhibit B

Amended Service List

Exhibit B-1
Service List Served on May 28, 2009

Office of the Governor
500 Woodlane Ave # 250
Little Rock, AR 72201

Office of the Governor
490 Old Santa Fe Trl # 400
Santa Fe, NM 87501

Office of the Governor
P.O. Box 83720
Boise, Idaho 83720

Office of the Governor
2300 N. Lincoln Blvd., Room 212
Oklahoma City, OK 73105

Office of the Governor
State Capitol
Des Moines, IA 50319

Office of the Governor
301 Promenade Street
Providence, RI 02908

Office of the Governor
Capitol, 300 SW 10th Ave., Ste. 212S
Topeka, KS 66612-1590

Office of the Governor
500 E. Capitol Ave.
Pierre, SD 57501

Office of the Governor
#1 State House Station
Augusta, ME 04333-0001

Office of the Governor
Utah State Capitol Complex
350 North State Street, Suite 200
Salt Lake City, Utah 84114-2220

Office of the Governor
1445 K St # 2316
Lincoln, NE 68508

Office of the Governor
109 State Street, Pavilion
Montpelier, VT 05609-0101

Office of the Governor
600 East Boulevard Avenue
Bismarck, North Dakota 58505-0001

Office of the Governor
State Capitol, 200 West 24th Street
Cheyenne, WY 82002-0010

Secretary of Defense
Attn: Special Assistant for Telecommunications
Pentagon
Washington, D.C. 20301

FCC Form 499 Data Collection Agent
Universal Service Administration Corporation
200 L Street NW, Suite 200
Washington, DC 20036

Exhibit B-1
Service List Served on May 28, 2009

Ms. Diana Wilson, Commission Secretary
Arkansas Public Service Commission
1000 Center Street
P.O. Box 400
Little Rock, AR 72203

Records Department
New Mexico Public Regulation Commission
224 East Palace Avenue
Santa Fe, NM 87501

Ms. Jean Jewell, Secretary
Idaho Public Utilities Commission
472 West Washington State House
Boise, ID 83720-0074

Commission Clerk
Oklahoma Corporation Commission
PUD Division, 2101 N. Lincoln Blvd.
Oklahoma City, Oklahoma 73105

Ms. Judy K. Cooper, Executive Director
Iowa Utilities Board
350 Maple Street
Des Moines, IA 50319-0069

Ms. Luly Massaro, Commission Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

Ms. Susan Duffy, Executive Director
Kansas Corporation Commission
1500 S.W. Arrowhead Road
Topeka, KS 66604-4027

Ms. Patricia Van Gerpen
South Dakota Public Utilities Commission
Capitol Building, 1st Floor
500 East Capitol
Pierre, SD 57501

Ms. Karen Geraghty, Administrative Director
Maine Public Utilities Commission
18 State House Station
242 State Street
Augusta, Maine 04333-0018

Commission Secretary
Utah Public Service Division
Heber M. Wells Building
160 East 300 South Street
Salt Lake City, UT 84111

Mr. Michel Hybl, Executive Director
Nebraska Public Service Commission
300 The Atrium
1200 N. Street
Lincoln, NE 68509-4927

Ms. Susan Hudson
Clerk of the Board
Vermont Public Service Commission
112 State Street
Montpelier, VT 05620-2701

Mr. Darrell Nitschke, Executive Secretary
North Dakota Public Service Commission
600 E. Boulevard Avenue, Dept. 408
Bismarck, ND 58505-0480

Ms. Sandra Squire, Executive Secretary
West Virginia Public Service Commission
201 Brooks Street
Charleston, WV 25323

David Lucero, Commission Attorney
Wyoming Public Service Commission
Hansen Building, Suite 300
2515 Warren Avenue
Cheyenne, Wyoming 82002

Exhibit B-2
Service List Served on June 2, 2009

Office of the Governor
1900 Kanawha Boulevard, E.
Charleston, WV 2530

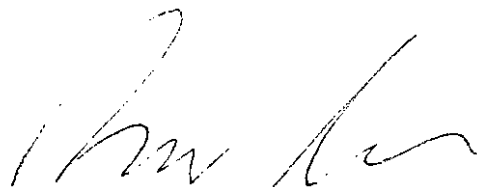
CERTIFICATE OF SERVICE

Talk America Inc.

STATE OF FLORIDA)

COUNTY OF ORANGE)

On May 28th, 2009, the Section 63.17 Application of Talk America Inc. to Discontinue Service was mailed via first class U.S. mail to the State Regulatory Agencies, Governors' offices and the Secretary of Defense, as listed in Exhibit B-1.

A handwritten signature in black ink, appearing to be "J. M. L.", written over a horizontal line.

For Shipping Department
Technologies Management, Inc.

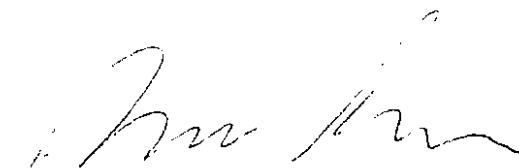
CERTIFICATE OF SERVICE

Talk America Inc.

STATE OF FLORIDA)

COUNTY OF ORANGE)

On June 2nd, 2009, the Section 63.17 Application of Talk America Inc. to Discontinue Service was mailed via first class U.S. mail to the West Virginia Office of the Governor, as listed in Exhibit B-2.



For Shipping Department
Technologies Management, Inc.